

[10191/4470]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Martin SAUR et al.
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For : ELECTRIC MOTOR
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Art Unit : 2834
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office via the Office electronic filing system on **September 8, 2008.**

Signature: /Wendy Espinal/
Wendy Espinal

RESPONSE

SIR:

In response to the Office Action of June 20, 2008, kindly reconsider the above-captioned application without prejudice as follows:

Remarks begin on page 2 of this paper.

REMARKS

I. Introduction

Claims 12 to 24 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants thank Examiner for acknowledging the claim for foreign priority and indicating that all certified copies of the priority documents have been received.

II. Rejection of Claims 12 to 14 and 16 to 21 Under 35 U.S.C. § 103(a)

Claims 12 to 14 and 16 to 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2007/0001522 and U.S. Patent No. 4,851,725. It is respectfully submitted that the combination of U.S. Patent Application Publication No. 2007/0001522 and U.S. Patent No. 4,851,725 does not render these claims unpatentable for at least the following reasons.

The publication date of U.S. Patent Application Publication No. 2007/0001522, **January 4, 2007**, is **after** the **October 11, 2004** international filing date of the present application. In addition, the international application, **i.e.**, PCT/DE04/01694, of which U.S. Patent Application Publication No. 2007/0001522 is the national stage, was **not** published in English. Moreover, the **October 10, 2003** filing date of the priority application hereto, **i.e.**, German Application No. 103 47 850.7, is **before** the **July 28, 2004** international filing date of U.S. Patent Application Publication No. 2007/0001522. A certified English-language translation of German Application No. 103 47 850.7 is submitted herewith.

Accordingly, Nitzsche does not constitute prior art against the present application.

Still further, U.S. Patent Application Publication No. 2007/0001522 and the present application are assigned to ROBERT BOSCH GMBH, rendering the present rejection improper under 35 U.S.C. § 103(c).

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 15, 23 and 24 Under 35 U.S.C. § 103(a)

Claims 15, 23 and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2007/0001522, U.S. Patent No. 4,851,725, and U.S. Patent Application Publication No. 2004/0201295. It is respectfully submitted that the combination of U.S. Patent Application Publication No. 2007/0001522, U.S. Patent No. 4,851,725, and U.S. Patent Application Publication No. 2004/0201295 does not render these claims unpatentable for at least the following reasons.

As set forth in detail in Section II of this response, U.S. Patent Application Publication No. 2007/0001522 does not constitute prior art against the present application, and it is improper to reject any claim of the present application under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2007/0001522 under the provisions 35 U.S.C. § 103(c). Moreover, the **October 10, 2003** priority date of the present application is **before** the **November 24, 2003** filing date of U.S. Patent Application Publication No. 2004/0201295. Accordingly, U.S. Patent Application Publication No. 2004/0201295 does not constitute prior art against the present application.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claim 22 Under 35 U.S.C. § 103(a)

Claim 22 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2007/0001522, U.S. Patent No. 4,851,725, and U.S. Patent No. 7,109,618. It is respectfully submitted that the combination of U.S. Patent Application Publication No. 2007/0001522, U.S. Patent No. 4,851,725, and U.S. Patent No. 7,109,618. does not render claim 22 unpatentable for at least the following reasons.

As set forth in detail in Section II of this response, U.S. Patent Application Publication No. 2007/0001522 does not constitute prior art against the present application, and it is improper to reject any claim of the present application under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2007/0001522 under the provisions of 35 U.S.C. § 103(c). Regarding U.S. Patent No. 7,109,618, the **March 31, 2004** filing date of U.S. Patent No. 7,109,618 is **after**

the **October 10, 2003** priority date of the present application. As such, U.S. Patent No. 7,109,618 does not constitute prior art against the present application.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Conclusion

In light of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

Dated: September 8, 2008

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